

ORIGINAL

ZhengZhiHua.rem

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FILED
DISTRICT COURT OF GUAM
JAN 26 2006
MARY L.M. MORAN
CLERK OF COURT

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF GUAM

UNITED STATES OF AMERICA,)	CRIMINAL CASE NO. 00-00115
)	
Plaintiff,)	
)	
vs.)	PETITION TO REMIT SPECIAL
)	ASSESSMENT FEE
ZHI HUA ZHENG)	[18 U.S.C. § 3573]
)	
Defendant.)	

COMES NOW the United States of America, by and through its undersigned counsel, and respectfully petitions this Court pursuant to 18 U.S.C. § 3573 for the entry of an order remitting the unpaid special assessment fee earlier imposed upon Defendant ZHI HUA ZHENG and in support hereof, states as follows:

1. On November 25, 2003, sentence was imposed by this Court against Defendant ZHI HUA ZHENG. Among other things, a \$200.00 special assessment fee was ordered. The total amount now owed by said Defendant is \$200.00.

2. Upon information received from the Immigration and Customs Enforcement Deportable Alien Control System (ICE/DACS), the defendant, ZHI HUA ZHENG was deported to China on April 20, 2004. See Exhibit "A."

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1 3. Section 3573 of Title 18, United States Code, as amended, provides in pertinent
2 part as follows:

3 Upon petition by the Government showing that reasonable efforts to
4 collect a fine or assessment are not likely to be effective, the court may, in the
5 interest of justice --

6 (1) remit all or part of the unpaid portion of the fine or special assessment,
7 including interest and penalties

8 4. The United States Attorney has determined that in light of Defendant's
9 deportation, there is no reasonable likelihood that expending further efforts to collect the special
10 assessment fee will produce any revenue to the United States. To the contrary, any further efforts
11 will needlessly expend resources that could be better directed to areas with greater potential for
12 recovery.

13 5. The interests of justice mitigate in favor of remission of the unpaid special
14 assessment fee.

15 WHEREFORE, the United States of America respectfully requests that this Court
16 enter an order remitting the unpaid special assessment fee imposed upon Defendant ZHI HUA
17 ZHENG.

18 DATED this 26th day of January, 2006.

19 LEONARDO M. RAPADAS
20 United States Attorney
21 Districts of Guam and NMI

22 By: _____

23 MARIVIC P. DAVID
24 Assistant U.S. Attorney
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A-NUM : 075253605
NATLTY: CHINALAST-NAME : ZHENG
FIRST-NAME: ZHI HUA

DATE-DOCKET-CLEARED: 04/22/2004

DEPART-CLEARED-STAT: 6

TRANSFER-TO-DCO:

DATE-DOCKET-TRANSFER:

DATE-DEPARTED: 04/20/2004

PORT-DEPARTED: AGA

DEPART-COUNTRY: CHINA

FINAL-CHARGE: R2A3

EXPENSE-CODE: 5

HIT PF4 TO RETURN TO CASE SELECT SCREEN OR ENTER FOR NEXT SCREEN

